

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

RANDY STANLEY,	:	
Petitioner,	:	Case No. 3:01CV483
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
LAWRENCE MACK, Warden,	:	
Respondent.	:	

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**DECISION AND ENTRY**

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The Court has reviewed *de novo* the Report and Recommendation filed on September 11, 2006 (Doc. #52) filed by United States Magistrate Judge Sharon L. Ovington, to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations (Doc. #52) is ADOPTED in full;
2. Petitioner's Motion For Attorney Fees To Permit Excess Billing Over Cap Amount (Doc. #47) is GRANTED;
3. Petitioner's Motion For Attorney Fees To Permit Interim Billing (Doc. #46) be OVERRULED as moot; and
4. The case remains terminated on the docket of this Court.

October 5, 2006

**\*s/THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge